Ventura.

ish War.

The United States Supreme Court today

decided in the naval prize money case growing out of the capture of the Spanish

steamer Buena Ventura, the first prize of

he war with Spain, that the condemnation

of the vessel was contrary to the terms of the President's proclamation, and ordered

the proceeds of the sale of the vessel to be

turned over to the owners. In the cases of

the vessels Pedro and Guido, also owned by

Spaniards, the condemnation was affirmed.

The opinion in the case of the Buena Ven-

tura was handed down by Justice Peckham

and turned upon the construction of the

clause of the President's message of the

25th of April, 1898, exempting Spanish ves-

May following. It was shown that the Ven

of Mexico on the 19th of April, seven days

before the presidential proclamation was

issued, and that it was captured on the 26th

of that month, or the same day in which

The Other Prizes.

The chief justice delivered the opinion

of the court in the cases of the Pedro and

the Guido and, while the condemnation of these vessels was affirmed, there were dis-

sents in both instarces. Four of the nine

members of the court united in a dissent-

Left After War Opened.

aded when the Pedro left that port.
The Guido case turned upon a similar state of affairs to that prevailing in the Pedro case and was also decided against the Spanish owners. In this case Justices Shiras, White and Peckham dissented.

FIGHT AT A TEXAS MINE.

Two Mexicans Killed by Negro Named Thomas Johnson.

ROCKDALE, Tex., December 11.—A diffi-culty occurred Sunday at the Black Dia-

n which some fifteen or twenty shots were

fired, two Mexicans being killed and one

Thomas Johnson, a negro, acknowledged

having done the killing and surrendered to

the officers. Other negroes participated in the shooting, but Johnson is said to have done the effective work. One of the Mexi-cans killed had engaged in a difficulty with a negro, and his friends were trying to as-sist him. The white boy was merely a spectator and received a stray bullet.

ARRIVAL OF THE ZEALANDIA.

apt. McGrath's Remains on Board

the Transport.

SAN FRANCISCO, December 11.-The

transport Zealandia, from Manila, has not yet docked. She has on board the bodies

of Captain H. J. McGrath of the 4th Cav

alry and H. H. Hopkins and Frank J

Murray of the 1st California Volunteers

While the Zealandia was at Manila about

\$12,000 worth of church property stolen by

Filipino insurgents was restored to the priests at Malate by United States troops. The court of inquiry into the loss of the Morgan City fully exonerated Captain Dorris, but suspended the pilot for life. C. S. Robinson, who arrived on the Zea-

landia, had the contract to raise the cable steamer Hooker, wrecked on Corregidor Island, but found it impossible to save the

TROOPS AT CORBIN, KY.

Killing of a Deputy Marshal Causes

CORBIN, Ky., December 11.-This town

under the protection of the military, in

consequence of the killing of Deputy Marshal Henry Hartford while in pursuit of the participants in a saloon fight. It is not known who kiffed him. Floyd and Ed. Chadwell are under ar-

rioyd and Ed. Chadwell are under ar-rest. Their youriger brother is said to have been the ringleader in the fight, and they interfered when the officers attempted to arrest him. There is danger of further trouble.

Want to Restore "Old Ironsides."

to Congress, with his indorsement, a com-

munication from the Massachusetts State

Society, Daughters of 1812, asking author-

ity to restore the old frigate Constitution to a

serviceable condition in order that she may

again be placed in commission and used as a training ship, or in such other manner

as may be deemed best. It is proposed to

defray the cost of such restoration by popular subscription, and the work is to be done at the Boston navy yard. According to the representations of the Massachusetts

society the Constitution as she exists today is but a relic of the glory of the navy in its infancy, and the fact that the memory

The Secretary of the Navy has submitted

all of whom met death in action.

Mexican and a white boy wounded.

al mines twenty miles east of here

mill the Boar position was reached, when mexpectedly column. The in hot fire was unexpectedly opened upon the asymetric column. The engagement began at 5:15 a.m. At 7 a.m., after a sharp artillery duch the British refired. They are now marching toward Molteno. Gen. Gatacre found the enemy's position impreg-nable. It was impossible for the British infantry to get at the Boers. Gen. Gatacre's maximent may be termed

Gen. Gataere's movement may be termed recommaissance in force. Its object was assertain the strength of the position of laers, who were strongly intrenched the Stormberg range. He left Put-kraal shortly after noon yesterday a fighting force slightly over 4,000

Leaving Molteno at a last evening, he made a memorable night march over the made a memorable night march over the rocks and veldt. There was no sound ex-tept a steady tramp, and there were no distinguishing lights, the bright moon hav-ing gane down about 11:30. The column arrived safely within a couple of miles of its destination, the only incidents of the eing an occasional sudden call of under the belief that the Boers

Under a Terrific Fire.

iddenly a terrific fire opened simulta-usly on the British front and right flank. sought shelter behind a neighpje, and were speedliy joined by the remainder of the column. It was soon the remainder of the column. It was soon found, however, that this position also was covered by Boer guns, which were more powerful than had been supposed. The troops, therefore, sought a safer position about half a mile away, two batteries in the meantime engaging the Boers, and covering the troops in their withdrawal. The action now became general at long

The action now became general at long inge, and a detachment of mounted interpretarily moved northward with a view of atting on the enemy's right flank. Sudnly a strong commando was seen moveg from the north and the Royal Irish lides and the Northumberland regiment ore sent out to meet it. It was soon the were sent out to meet it. It was soon dis-covered, however, that the Boers had ma-phine guns well placed, and the Britist were compelled to face a terrible fire. British

ere compelled to face a terrible lire. Finding it impossible to hold the posion in the face of an enemy apparently
aperior in position, numbers and artiflery,
the British retired on Moltono, the Boers
allowing up the retirement closely and
ringing two big guns to bear on the rering column. It is believed here that the
critish examilies were not serious

THE BRITISH LOSSES. dum Total of the Casualties Up to Date in the Boer War.

from the Phillidelphia Press. The engagement of General Gatacre at

or near Moltero or Stormberg Junction, with the extraordinary total of missing, repeating apparently the experience of the Dublin Fusileers and Gloucester Regiment on October 28, calls attention sharply to the total of British losses up to date. The great list of missing, most of whom are prisoners of the Boers, is in curious conur own record in the Spanish war. as the Spanish did not get a single American prisoner, while those taken by the Filipinos have been but few. The estimates of the casualties are taken from British sources, and do not include conjectural besses, in small engagements on the north-ern borders. The list is as follows:

		Wound-	Miss-
Engagement. I	Silled.	ed.	iner.
Mafeking, Oct. 15	2	17	*****
Marfeking (b) 24		9	
Mafeking, 0et, 30-31		4	- 13
Glepene, Oct. 20-26	49	991	208
Elands Laughe, Oct. 21	51	213	
Crocodile river, Oct. 22	13	9	- 1
Rietfontein, Oct. 24	12	104	- 2
Kimberley, Oct. 24.	- 3	21	- 3
Kimberley, Nov. 5.		- T	1
Kimberley, Nov. 16		3	
Kimberiey, Nov. 18-23	2.00	- 5	
Ladysmith, Oct. 28, Nov. 2	61	241	485
Nov. 2. Dec. T.	31	145	-
Bulawayo, Nov. 2.		2.40	6
Kentlwerth, Nov. 4		1	
Selmestdoft Nov. 4	1		300
		1	
Orange river	1		46
Estrourt, Nov. 15		18	
Mood river, Nov. 19	1.5	3	2.4
Mood river, Nov. 21	1		**
Mood river, Nov. 22	**	- 16	
Annadel, Nov. 22	14	- 3	9.4
Belment, Nov. 10		4	
Belisont, Nov. 23	4.9	2238	- 2
Belmont, Nev. 24. Willow Grange, Nov. 23.	1	- 2	1.00
Willow Grange, Nov. 23	17	67	9
Togela Drift Nov. 23	2.6	1	
Gras Pan, Nov. 25		168	7
Gras Pan, Nov. 26		2	100
Modder river, Nov. 28		338	7
Gras Pin Dec. S.	1	14	26.0
Molteto	- 2	25	605
Other missing at Nicholson's Nek.	200	**	310
Other casualties	Ia		
Wounded who have since died	37		
	17.77	-	
Totals	440	1,5000	1.504

This gives total casualties of 4.135 for a war three months old, while our losses in the Spanish-American in three months were nuch less, our total castalities from May 1 to August 1, 1808, being about 200 killen and 1.154 wounded.

DIRECTED TO GO TO PRETORIA.

Consul Hollis to Take Charge, Suc ceeding Consul Macrum.

Secretary Hay has cabled to United States Consul Stanley Hollis, at Lorenzo Marquez, Portuguese East Africa, directing him to proceed to Pretoria and take charge of the United States consulate there, upon departure of Mr. Macrum, Mr. Hollis has undertaken to perform this important service for the State Department, and, valuable man for the place. This action had been under accepting the services of Mr. Atterbury, who had been designated by Mr. Macram to take his place. Mr. Hollis will serve as United States consul at Pretoria only until the arrival there of Mr. Adelbert Hay, who is already on his way, via Southampton, to that place. Mr. Hollis will go direct by rail from Delagoa bay to Pretoria, and should make the trip so as to arrive there before Mr. Macram's departure. The latter has already announced that he will sail on the 18th for home. Mr. Hay should arrive at his post about January 26 next. been under accepting the services of

CONSTRUCTION OF WARSHIPS.

Admiral Hichborn Pays Good Progress is Being Made.

In his last monthly report Admiral Hichborn, chief of the bureau of construction and repair, shows that good progress is being made in the construction of vessels for the navy. Of the battle ships, the Kearsurge, building by the Newport News company, is near completion, lacking only 2 per cent of being a finished product battle ship Kentucky, building by the same company, is 97 per cent completed and the Alabama, building by the Cramps, is only 6 per cent behind her. The Wisconsin, at the Union iron works, is 82 per cent com-pleted and the Illinois, at Newport News, 72 per cent. A good start has been made on the Maine by the Cramps. sent. A good start has been made ine by the Cramps, and work has it the Ohio, at the Union from work the Missouri, at Newport Nev-eathed crulser Albamy is nearly co-at the Armstrongs, England, a furned over to the United States t time. The monitors Arkans itent. Florida and Wyoming is under way and the their fee. pedo boats are gradually nearing comple-tion. The Dahlgren and the Craven an the Goldsborough are each over 25 per cen-completed and will soon be added to th naval list. The submarine torpedo boa Plunger, building by the Columbian from works, is within 15 per cent of completion

THE HOLIDAY RECESS.

Practically Decided That It Will Be From December 21 to January 3.

It is practically decided that the holiday recess of Congress will be from Thursday to Wednesday, January 3. Thus far, however, there has been no for-mal action, but a member of the House committee on rules said today that a fecess would undoubtedly cover the foregoing

GEN. WHEELER'S CASE

Not Likely to Be Permitted to Enter the House as Member.

It is not likely that Gen. Wheeler of Alabank will be permitted to take oath as a member of the House when he presents himself before the bar on his return from the Philippines.

If he resigns his commission in the army

If he resigns his commission in the army with the idea that he will be permitted to occupy a seat in the House he is apt to find himsif entirely on the outside.

Objection will be made to his taking the oath on the ground that he is not a member of the House. This view of his status is sustained by the report on his case during the last Congress by Gen. Henderson, now Speaker of the House, from the judiciary committee.

A. F. OF L. CONVENTION

Nearly Two Hundred Delegates at the Meeting in Detroit.

VICE PRESIDENT DUNCAN PRESIDES

Herbert J. Greville Welcomes the Visitors in a Speech.

PRESIDENT GOMPERS' REPORT

DETROIT Mich. December 11.-Nearly 200 delegates, representing all branches of trade unionism, with an estimated total membership of nearly 800,000, were seated at writing tables scattered over the floor of Harmonie Hall today when the nineteenth annual convention of the American Federation of Labor was called to order.

The first evidence of a contest was apparent when the stationary engineers sought to prevent the seating of the brewery employes' representatives. In the abence of both President Gompers and Vice President McGuire the gathering was called to order by James Duncan of Baltimore, second vice president. Mr. Duncan announced that Mr. Gompers was still suffering severely from a dislocated knee and other injuries resulting from a recent wagon and street car collision in Washingwagon and st.eet car collision in Washing-ton, and possibly might not be able to at-tend the convention. In compilance with the federation rules prohibiting speeches by outsiders, no welcomes were tendered by officials of the city or state. The only ad-dress of this character was by Herbert J. Greville, president of the Detroit Council of Trade and Labor Unions.

Vice President Duncan Responds.

Vice President Duncan, responding to the welcome, said that the convention is the largest meeting of organized labor repre-sentatives ever held in the United States, besides containing affiliated delegates from across the sea and from Canada Whon across the sea and from Canada. When the committee on credentials had reported the seating of the brewery workers was protested against by representatives of the Stationary Steam Engineers. The brewery men retorted by protesting against the cre-dentials of the stationary engineers and firemen. All the other delegates were de-clared seated and the brewers and engin-eers proceeded to air their strike, label and other local difficulties before the credentials committee.

ommittee.

After adoption of a resolution of sym-pathy for President Gompers, the annual seport of the president was read by Vice President Duncan.

Concentrated Capital-Trusts On the subject of trusts the report says: We are all conscious of the giant strides

with which industry during the past decade \ history has combined and concentrated into the n-dern trust. There is considerable difference of opinion, however, as to what is regarded by many as an intolerable cvil.
Organized labor is deeply concerned regarding the "swift and interse concentration of the industries," and it realizes that unless successfully confronted by an equal or superior power, there is economic danger and political subjugation in store for all. But organized labor looks with apprehension at the many panaceas and remedies offered by theorists to curb the growth, and development, or to destroy the combinations of industry. We have seen those who knew little of statecraft, and less of economics, urge the adoption of laws to "regulate" interstate commerce, and laws to ence of opinion, however, as to what is relate" interstate commerce, and laws to 'regu-late" interstate commerce, and laws to 'prevent' combinations and trusts; and we have also seen that these measures, when enacted, have been the very instruments to deprive labor of the benefit of organized effort, while at the same time they have simply proved incentives to more subtly and surely lubricate the wheels of capital's combination.

For our own part, we are convinced that

combination.

For our own part, we are convinced that the state is not capable of preventing the development, or the natural concentration of industry. All the propositions to do so which have come under our observation, would, beyond doubt, react with greater force and injury upon the working people of our country than upon the trusts.

The great wrongs attributable to the trusts are their corrupting influence on the politics of the country, but as the state has always been the representative of the wealth possessors, we shall be compelled to endure this evil until the toilers are organized and educated to the degree that they shall know that the state is by right theirs, and finally and justly come to their own, while never relaxing in their efforts to secure the very best possible economic, social and material improvement in their condition.

social and material improvement in their condition.

There is no tenderer or more vulnerable spot in the anatomy of trusts than their dividend paying function; there is no power on earth other than the trade unions which wields so potent a weapon to penetrate, disrupt, and, if necessary, crumble the whole fabric. This, however, will not be necessary, nor will it occur; for the trade unions will go on organizing, agitating and educating, in order that material improvement may keep pace with industrial development, until the time when the workers, who will then form nearly the whole people, develop their ability to administer, who will then form nearly the whole people, develop their ability to administer the functions of government in the interest of all.

all.

There will be no cataclysm, but a transition so gentle that most men will wonder how it all happened.

In the early days of our modern capitaline the ballyddual amplorer.

how it all happened.

In the early days of our modern capitalist system, when the individual employer was the rule under which industry was conducted, the individual workmen deemed themselves sufficiently capable to cope for their rights; when industry developed and employers formed companies, the workmen formed unions; when industry concentrated into great combinations, the workingmen formed their national and international unions; as employments became the control of the control

donal unions; as employments became trustified, the toilers organized federation of all unions, local, national and interna-tional, such as the American Federation of Labor.

We shall continue to organize and federate the grand army of labor, and with our mottoes, fewer hours of labor, higher wages and an elevated standard of life, we shall establish equal and exact justice for all.

"Our New Possessions" and Militarism A marked change within the recent past has overcome the policy and trend of our country in its international relations. A humane war, undertaken for the indepen dence of Cuba from Spanish domination and musrule and the circumstances in con section therewith, has been taken advan-age of to ruthlessly trample under foot very principle upon which our republic was ounded; every tradition which has made name sacred to patriots, thinkers humanitarians, and every policy which has endeared the names of the statesmen, heroes and emancipators, have been fla-grantly flung to the winds. Hawaii is ansexed in spite of the protests of her Slave-like conditions of labor obtain The agents of the slavemasters are uring workers to Hawaii to continu definitely the slave-like contract conditions of labor there, where the specific enforcement of the conditions of the contract to labor are enforcable with the whip and the dungeon. Porto *Rico has by armed force been conquered and annexed; Cuba, promised her freedom and independence, is held by the armed military forces of our country.

country.

In Cuba the workers sought by united of the workers sought by united effort to secure some of the advantages resultant from modern civilization; that is, a reduction in the hours of their daily toll; and upon their request being denied them by employers, they exercised their natural and legal right to cease work.

The general in command issued an order containing the most offensive and unjusti-liable attacks and abuse upon the workers, fiable attacks and abuse upon the workers, who cought an amelioration in their condi-tions and relief from burdensome toil. The arrest of every man ergaged in the strike was threatened, and an ultimatum given that unless the men returned to work with-in forty-eight hours after the issuance of that unless the men returned to work within forty-eight hours after the issuance of the military order the leaders would be arrested, charged with conspiracy or treason and punished in accordance with the military code.

Eight-Hour Bill.

The eight-hour law met with defeat, and

under most peculiar circumstances. The House passed the bill unanimously. failed in the Senate principally by reason of the actions of Senator Kyle of South Dakota, chairman of the Senate committee

on education and labor. Senator Kyle, at our request, gladly undertook to, and did, introduce our eight-hour bill in the Senate. He first approved the bill, then proceedings of the committee, then provided opposition to it, and finally submitted a minority report scales. submitted a minority report against the bill which he himself introduced. No wonder then that it met its fate, when it re-ceived its death blow at the hands of its introducer. I am confident that if there had been an opportunity for the Senate to have voted upon the bill it would not have

have voted upon the bill it would not have been defeated.

There have been some who hold that our eight-hour bill is too far-reaching in its effect. In answer to this we say that the ills from which labor suffers are far-reaching; and the relief or remedies which we seek to employ must of necessity be equal in scope. There are many who propose remedies for all the ills which the human family is heir to, yet they can have but little faith in their propositions, or they would not antagonize the adoption of the eight-hour law from the fear of its wide scope. This convention should insist upon the, passage of its original proposition and held to a strict accountability all who have been, or who may hereafter be, antagonistic to it.

PRONOUNCED FRAUDULENT

Decision Against the La Abra Mining Claim.

A Famous Case in the Supreme Court-President's Signature During a Recess Valid.

The United States Supreme Court today offirmed the opinion of the Court of Claims in the case of the claim of the La Abra Silver Mining Company against the republic of Mexico, holding that claim to be frauduent and unfounded. The claim was for about \$4,000,000.

Bills Signed During Recess. In passing upon the case the chief justice ncidentally decided that the signature of the President attached to a bill during a recess of Congress, if attached within the constitutional ten days, renders an act so signed as valid as if Congress were in ses-

sion. The point was raised for the purpose of attacking the constitutionality of the act of 1892 and authorizing the investigation of the claims by the Court of Claims, which was approved during the Christmas holiday recess of 1892-'93.

Justice Harlan said the essential requirement was that the President should sign a bill, and it could not be considered important whether the signature was attached during a recess or whether Congress was actually sitting, if the act was done within the ten days' time allowed for executive examination. tive examination. He said, however, that the decision or

this point did not cover the legality of ex-ecutive approval after the final adjourn-ment of Congress, that point not being

raised.

The opinion in the case was handed down by Justice Harlan, who went fully into its

TO PUNISH WIFE BEATERS. Bill Proposing to Make Whipping Fit the Crime, Special Dispatch to The Evening Star.

RICHMOND, Va., December 11.-Delegate John Whitehead of Norfolk will introduce in the house on Monday a bill which will excite the liveliest interest. The bill provides for the punishment of wife beaters by whipping, with a specified number of lashes. It will be prepared by Major Parks of Page, and will be supported by Parks of Page, and will be supported by Delegates Pilcher of Fauquier, Featherstone of Campbell and other leaders. Mr. Whitehead said today that he had long seen the necessity of such a law. At present there is nothing for a judge to do but to send the wife beater to jail in default of his fine, and this results in the wife spending hours of hard work sewing or something else, in order to get her husband free again. He believes the bill will become a law.

A petition has been received from several veterans at the Soldlers' Home here, complaining that they are farmed out; that they are roughly treated by the employes and are poorly fed. They charge that the institution is not properly run, and they beg that it be put under a board of visitors to be appointed by the state, and taken from the control of Lee Camp. The petition was brought before the senate by Senator Ople and will be investigated.

Delegate J. M. Whitehead of Lee county will shortly introduce a bill designed to cardicate the widespread practice of pistol carrying in Virginia. There have been many shooting affrays lately, and the legislature recognizes that something more than a fine is necessary to put a stop to them. The bill will provide that any magistrate or

is necessary to put a stop to them. The bill will provide that any magistrate or justice of the peace may search any party whom he suspects of having a weapon without a search warrant. If his sus-picions are correct the guilty party is to picions are correct the guilty party is to be fined \$20 and given thirty days in jail. Should the offense be committed on elec-tion day the fine is to be \$500, with two years' confinement in the penitentiary. A bill was introduced in the Senate to-day directed against trusts. It is almost identical with the Texas law and is a strin-gent measure.

TO DOUBLE GERMANY'S NAVY.

Prince Hohenlohe Announces Government's Policy in the Reichstag. BERLIN, December 11.—During the de

oate on the estimates in the reichstag today Count von Buelow, the minister of eign affairs, reiterated the terms of the various agreements for partitioning Samoa between the United States and Germany, for repealing the Samoa act and for sub-mitting to arbitration the losses resulting mitting to arbitration the losses resulting from unjustifiable military action upon the part of officers belonging to either of the three states. He said that after assent of the United States Senate and the bundesrath, a bill ratifying the treaty would be submitted. In the meanwhile, he hoped the reichstag would not discuss the matter. He added that no increase in next year's impertal budget would arise from the supplemental estimates for Samoa.

Prince Hohenlohe, the imperial chancelior, then announced that the federal governments had come to the conclusion that the present navy was insufficient for the country's needs and that estimates for doubling the present number of warships would be submitted.

He added that the period within which the increase of the navy would be effected was not to be fixed by law, the number of new ships to be provided for annually in the estimates being decided in accordance with budgetary requirements.

"In this matter," he continued, "the federated governments are acting on the supposition that in accordance with the general principles governing the financing of estimates the additional vessels will be paid for by loans." from unjustifiable military action upon the

PHILADELPHIANS COMING HERE.

They Are Striving for the Republicar PHILADELPHIA, December 11 .- A com-

mittee of ten citizens left here at noon to day for Washington, being the advance guard of a committee of one hundred, who will endeavor to have Philadelphia selected for the next national republican convention They will make the Arlington Hotel their headquarters and will hold a conference with the Pennsylvania congressmen as soon after their arrival as possible.

A course of action will be outlined and A course of action will be outlined and plans laid for the benefit of the committee of one hundred, who will go to Washington on Thursday. The campaign fund amounts now to more than \$50,000, and the members of the committee assert they will secure the \$100,000 necessary without difficulty.

Several committeemen today declared

Several committeemen today declared that President McKinley had expressed himself as favorable to the selection of this

Casualties at Richmond, Va Special Dispatch to The Evening Star.

RICHMOND, Va., December 11 .- Miss Murray Gertrude Lipscomb, a well-known young lady, took a dose of headache med cine yesterday on the advice of a friend and died a few minutes later.

and ded a few minutes later.

Miss Henrietta Bass, an aged lady, while
coming down the steps of Centenary Methodist Church after service yesterday, fell
and fractured her skull. Her condition is
critical. A dispatch to the New York Staats-Zei-tung from Berlin says that Dr. Max Lange, the famous German chess master, theoret-ician and problemist, is dead at Lelpsig.

Proceeds of Sale of the Buena Proceedings Before Judge Cole in Criminal Court No. 2.

DECISION OF THE SUPREME COURT REGULAR JURY PANEL EXHAUSTED

First Prize Taken During the Span- One Hundred Talesmen to Be Specially Summoned.

OTHER CASES CONSIDERED THE CRIME CHARGED

Soon after the session of Criminal Cour No. 2 opened today United States Attorne Anderson announced that the government was ready to proceed with the case of Frank W. Funk, indicted for the murder o William H. Brooks. It was stated that the defense also was ready, and the work of impaneling a jury was thereupon com menced. At the end of three hours the twenty-six members of the regular jury panel of the court had been examined Only ten members retained seats in the box, and ho challenges had been exercised. The court directed an adjournment until tomorrow morning at 10 o'clock, the United States marshal in the meantime to sum

mon 100 talesmen.

To judge from the state of affairs today it is not thought a jury will be secured until Wednesday, or possibly Thursday. The question of the qualifications of thrors is being gone into more fully than heretofore. Justice Cole is reciding: sels in American ports from the operation of the proclamation of war until the 21st of tura had left an American port on the Gulf being gone into more fully than heretofore. Justice Cole is presiding at the trial, Attorneys D. W. Baker, Alexander Wolf and Newton C, Price appear for the defendant, and United States Attorney Anderson and Assistant United States Attorney Taylor are conducting the prosecution. The hearing is being held in the room usually occupied by Criminal Court No. 1, for the reason that it is of larger size than the room assigned as Criminal Court No. 2.

Although appearing somewhat pale and wan, due, no doubt, to the confinement in fail, Funk seemed to be in the best of spirits today. He was deeply interested in all that transpired and smiled frequently. His entry into the court room was followed by an emotional outburst on the part of one of the female witnesses. the proclamation appeared.

The decision turned upon the point as to whether the President's exemption order applied to Spanish vessels which had left American ports for ports in a neutral country prior to the issuance of the proclamation. mation.

Justice Peckham's opinion held that it did apply to vessels under this condition, and that on this account the Ventura, though owned by a Spanish house, was exempt. He said in this connection that the policy of the United States had always been one of liberality in such cases, and that there was no reason for a change of policy at this time. He therefore held that the owners were entitled to the proceeds of the sale of the vessel. Justices Gray and Mc-Kenna dissented from the opinion. an emotional outburst on the part of one of the female witnesses.

The Crime Alleged.

As is generally well known, the crime for which Funk is being tried was the killing of William H. Brooks, about 6 o'clock the evening of June 23, 1898, at 914 22d street Brooks, a veteran of the civil war, was seventy-three years of age. He was beaten to

enty-three years of age. He was beaten to death in his room, the implement used being a small ax. When his body was found his wife was lying near by in what was thought to be a dying condition.

The surgeons at the Emergency Hospital, to which institution she was taken, found five depressed fractures on the skull of Mrs. Brooks. It was thought at the time that nothing short of a miracle could save her life. She survived, however, but could tell nothing of what had occurred. The distell nothing of what had occurred. The dis-covery was made by George Larson, who, when he went to the room which was the scene of the murder, found the door bolted

members of the court united in a dissenting opinion in the Pedro case. This dissenting opinion was handed down by Justice White and was concurred in by Justices Brewer. Shiras and Peckham.

The chief justice, in his opinion in this case, stated the facts to be that the Pedro had left Liverpool in March with a cargo for Cuban ports, with the intention of afterward proceeding to the United States for a cargo of lumber for her return voyage. She reached Havana April 17, and on the 22d took her departure for Santiago, Cuba, and was captured the same day by the cruiser New York and duly condemned. on the outside.

That robbery was the motive for the crime-was attested by the fact that in the neighborhood of \$1,000 had been taken from a false pocket worn by Mrs. Brooks about her waist.

Funk Suspected.

passing upon the merits of the case Suspicion pointed to Funk as the murder-er. It was found that he had left the city the chief justice held that war had been practically declared on the 21st, and that he officers of the vessel must have known the evening of the murder and, before de parting, had changed bloody clothes for He dwelt upon the fact that the vessel new garments. He was apprehended a Columbia, Mo., last August, more than a was proceeding from a port of the enemy to another port of the enemy when over-taken, and contended that the case did no come under any of the exemptions of the President's message. coumbia, Mo., last August, more than a year after the killing. The defendant denies that he murdered Brooks. His contention is that he obtained the money from a daughter of the murdered man, and knew nothing of the murder until he read a newspaper account of it while in New York. He stoutly maintains that he is not guilty under the Indictment. come under any of the exemptions of the President's message.
Justice White, in his dissenting opinion, called attention to the fact that the Pedro had been for nine years engaged in a regular line of business between Liverpool and the United States, via Cuba, and said that the landing of the light cargo she carried to Havina was only an incident, as it was not nearly so important as the cargo of lumber which was to be carried from the United States on the return. He also urged that Havana harbor was not blockaded when the Pedro left that port.

The Guido case turned upon a similar

THE COURTS.

Equity Court No. 1-Justice Hagner. Burns agt. Duchring; exceptions to an swer sustained with leave to amend. Maes-agt. Hermann; on hearing.

Equity Court No. 2—Justice Barnard, Ferl agt. Fert; commission ordered to issue. Campbell agt. Carter et al.; decree declaring title good in complainant. Fowler agt. Fowler: B. J. Cain appointed guardian ad litem. Dement agt. Richards; order authorizing trustees to pay judgment out of Palace market fund. Wells agt. Wells; rule to show cause, returnable December 14. Senge agt. Washington Mortgage Company et al.; order overruling plea, with leave to demur, plead or answer within ten days. Spinks agt. Spinks; testimony before E. D. F. Brady, examiner, ordered taken. Sanders agt, unknown heirs of Jno. T. Key; decree declaring title good in complainant. Circuit Court No. 1—Chlef Justice Bingham. Equity Court No. 2-Justice Barnard Circuit Court No. 1-Chief Justice Bingham Capital Trust Company agt. Walbridge

et al.: on trial. Circuit Court No. 2-Justice Bradley. Rosenberger agt. Capital Rallway Com-sany; motion for new trial filed. Fitzger-id agt. Washington and Great Falls Elec-Railway Company; motion for nev trial overruled and judgment for plaintiff for \$1,200. Haarer agt. Capital Rallway Company; on trial.

Criminal Court No. 1-Justice Clabaugh. United States agt. Joseph Davis, secon offense petit larceny; verdict, guilty; ser years. United States agt. Henrietta Mar-shall, larceny from the person; verdict guilty; sentence. West Virginia peninten-tiary for one year and six months.

Criminal Court No. 2-Justice Cole. United States agt. Frank W. Funk, mur-der; empanelling of jury. Probate Court-Justice Cole.

Probate Court—Justice Cole.

Estate of Charles H. Lemos; warrant to appraisers issued. Estate of Lawrence O'Halloran; letters of administration granted to Wm. J. Miller; bond, \$500. In reguardianship of Charles W. Spindler; Annie R. Peck appointed guardian, bond \$230, and order of allowance. Estate of James Cooney; final notice naming Priday, January 12, 1900. for settlement. In re Clarence V. Sayer, guardian; answer filed. Estate of Eugene Fugitt; letters of administration granted to Miriam R. Fugitt; bond, \$500. Estate of Louis P. Hazel; do. to Clara V. Hazel; bond, \$4,500. Estate of Isadore B. Belmont; do. to Richard W. Kendall; bond, \$100. Estate of Frank T. Hyman; petition of administrator for allowance of certain credits, proof of publication and account filed and order referring account to register of wills to be stated. In re Henry E. Baker, guardian; account filed. Estate E. Baker, guardian; account filed. Estate of Sarah J. Shaefer; final notice naming Friday, January 5, 1900, for settlement. Estate of James Sullivan; will dated November 18, 1899, filed, with petition for probate. Estate of Christian Bxel; oath of sureties. Estate of Mary V. Thompson; inventories filed. Estate of Cornelia E. McDonald; will admitted to probate and letters testa-mentary granted to Jay A. Moss; bond,

Real Estate Transfers.

Addition to Le Droit Park—Gerald M. Johnson to Rufus W. Pearson, lot 83, block First and L streets southeast-H. H.

Bergman and Geo. M. Emmerich, trustees, to John C. Weedon, part lot 23, square 740; \$1.810. Thirty-first street northwest between L and M streets-Horace Jarboe et ux. to the Tabulating Machine Company, lots 27 to

30, square 1199; \$6,700. Alley between L and M, 22d and 23d streets-Laura Audrick et al. to Mattie R. Slater, part lot 19, square 51; \$10 (stamps,

Slater, part lot 19, square 51; \$10 (stamps, 50 cents).

Dobbins' Addition—C. Wilhelmina Dobbins to Joseph Paul and John Jos. Albright, lots 2 to 6, square 5, lots 2 to 7, square 6; all squares 7, 14, 15, 16, 18, 33 to 38 and 39 A; \$10 (stamps, \$142.50).

Dobbins' Addition—Joseph Paul et ux. to John Jos. Albright, half interest in lots 10 to 19, square 5, and lots 11 to 15, square 21; \$10 (stamps, \$2.50).

Mount Pleasant—Geo. C. Johnson et ux. to William Johnson, lot 25, block 17; \$10 (stamps, \$5.50).

Kenilworth—Allen W. and Lawrence O. Mallery, trustees, to John Herath, lot 17 and west half lot 16, block 11; \$10 (stamps, 50 cents).

its infancy, and the fact that the memory of her prowess is still cherished among the people is a gratifying evidence of patriotism that should be encouraged. It is represented that the rehabilitation of this grand old man-of-war by the voluntary contributions of the people, would be an object lesson of great-value to the people of the country at large. In recommending legislation to the end desired Secretary Long suggests that in case the reconstruction of the vessel is authorized it be with the understanding that the work be done under the supervision of the Navy Department. 50 cents).

Second street and Maryland avenue northeast—Francis A. Norman to Jno. F. Collins, lot 31, square 727; \$10 (stamps, \$6).

Columbia Heights-Walter A. Brown et ux. to Eugene E. and Gertrude M. Stevens, lot 35, block 34; \$10 (stamps, \$7.50).

Congress Heights-Wjilliam Herrier et ux. to Arthur E. Randle, lot 14, block 4; \$10 (stamps, 50 cents).

Seventh street and Howard avenue northwest-Alonzo C. Barnett to Thomas W. Stubblefield, all Interest in parts lot 11, block 4, Effingham place; \$10 (stamps, \$1.50).

block 4, Effingham place; \$10 (stamps, \$1.50).

Six and a half street southwest between D and E streets—Michael W. Suce et al. to Katherine and Mary Suce, lot 49 square 485; \$10 (stamp, \$1).

Twelfth street southeast between G and I streets—Theo, A. Harding et al., trustees, to Eibert Robertson, lot 30, square 1905; \$1,495,97.

Bloomingdale—Ray E. Middaugh et ux. to Minna E. Spangler, lot 56, block 9; \$19 (stamp, \$5).

Massachusetts avenue northwest near 7th street—Harry T. Harding et ux. to Woodruff Manufacturing Company, part lot 4, square west of 481; \$10 (stamps, \$14).

Maryland avenue northeast between 13th and 14th streets—James J. Story et ux. to Benjamin P. Batson, lot 43 and part lot 42, square 1028; \$10 (stamps, \$2.50).

FUNERAL OF CAPTAIN AYRES

His Remains Laid Away in Arlington National Cemetery.

Military Escort Furnished - Volley Over the Grave and "Taps" Conclude the Ceremony.

The remains of Capt. James C. Ayres, ordnance department, United States army, were interred this afternoon at Arlington national cemetery, the burial service being accompanied with military honors commensurate with the rank of the dead officer The preliminary funeral service was held at Capt. Ayres' late residence, 2005 O street, shortly after 2 o'clock. It was conducted by Rev. Teunis S. Hamlin of the Church of the Covenant, according to the ritual prescribed for the Presbyterian denomination. The residence was filled with officers of high rank in the army, most of them being from the various bureaus of the War De partment. A large concourse of the civilpartition. A large concourse of the civil-ian friends of the family was also present. In most instances the officers who called to pay their last respects to an honored comrade were accompanied by their wives and other members of their families. The funeral was one of the most largely at-tended in military circles of the capital city.

In the parlor, where the casket rested during the service, there were many beautiful floral tributes, one that was especially appreciated being a mounted wreath of white roses and orchids seat by the clerks of the ordnance bureau of the War Department to which Capt. Ayres was attached at the time of the bicycle accident Friday in which he met his death.

The Body Bearers. The Body Bearers.

With the conclusion of the religious serv-ices at the house the flag-inclosed casket was borne from the parlor and placed upon a caisson, which was also draped in national ensigns, and drawn by six horses The body bearers were eight non-commissioned officers of the 7th Artillery. sioned onicers of the real actinery. The henorary pallbearers were Quartermaster General Ludington, Col. Phipps, Col. Car-ter, Major Greer, Major Smith, Capt. Wheeler, all of the army, and Mr. Andrew W. Powilland

W. Pentland.
Light Battery M of the 7th Artillery, under, command of Capt. M. M. Macomb, composed the military escort as far as the Aqueduct bridge, where the funeral procession was joined by the band and a firing party from Fort Myer.

At Arlington the services were conducted according to the army custom, a volley being fired over the grave and "taps" sounded by a bugler.

The services were impressive throughout and were especially sad on account of the

The services were impressive throughout and were especially sad on account of the tragic death of Capt. Ayres, who was stricken down so suddenly. Always popular and esteemed in the army, Capt. Ayres had won the admiration and confidence of all with whom he had been thrown in contact since his assignment to duty at the War Department.

Death of Nellie La Rue.

Nellie La Rue, a well-known character who, for a number of years, has kept a disreputable house on D street, died this afternoon from paralysis. The police authorities were notified yesterday that the woman was dying, and that valuable property in her house, including, it was said, about \$10,600 in diamonds, should be pro-

It is probable that Lieut. Amiss will de-tail some of the first precinct officers to temporarily care for the dead woman's ef-fects.

Army Orders.

Major Charles A. Williams, 17th United States Infantry, upon the expiration of his present leave, is to proceed to Fort Slocum, N. Y., for assignment to duty with recruits, who will leave that post in Janu-

Captain Samuel Reber, signal corps, United States army, has been ordered from Governor's Island, N. Y., to this city, for special duty connected with the signal

orps.
Lieutenant L. A. Fuller, assistant surgeon, United States army, has been ordered from New York city to Fort Monroe, Va., to relieve Lieutenant B. J. Edger, jr., assistant surgeon, United States army, who ordered to San Francisco for duty Captain John Landstreet, assistant com-

missary of subsistence, United States vol-unteers, has been honorably discharged the uniteers, has been honorably discharged the service upon tender of his resignation.

Major Edward R. Morris, surgeon, U. S. volunteers, has been transferred from the department of the Pacific to duty at Fort Wayne, Mich., department of the lakes.

Acting Assistant Surgeon Charles Bruning, from Manzanillo, Cuba, to New Orleans.

First Lleutenant Charles R. Ramsay, 10th U. S. Infantry, from Charles R. Ramsay, 10th First Lieutenant Charles R. Ramsay, 10th U. S. Infantry, from Company B to Company G of that regiment.

Leave of absence has been granted First Lieutenant Arthur Cranston, 17th Infantry; Captain Lucius L. Durfee, 17th Infantry; First Lieutenant Samuel A. Kephart, 4th Artillery; First Lieutenant Louis M. Nuttman, 14th Infantry; First Lieutenant Robt. W. Barnett, 13th Infantry, and Second Lieutenant Aklen C. Knowles, 13th Infantry.

Baltimore Markets.

Baltimore Markets.

Baltimore, December II.—Flour dull, unchanged: receipts, 23,042 barrels; experts, 2,060 barrels. Wheat dull and easy: spot and the month, 70% a 70%; 10%; January, 71½,071%; May, 74½,074%; steamer No. 2 red, 66%,060%; receipts, 7,260 bashels: exports, none: southern by sample, 66371%; do. on grade, 67%,171%; or per and casy: spot and the month, 37%,37%; or per and per comper, 37½,37%; per comper, 37½,37%; steamer mixed, 33,33%; per comper, 24%,37%; exports, none: southern white some 31½,338%; do. No. 2 mixed, 28%,329. Rye dull; No. white, 31½,338%; do. No. 2 mixed, 28%,329. Rye dull; No. white, 31½,338%; do. No. 2 mixed, 28%,329. Rye dull; No. 10,50%; do. No. 2 mixed, 28%,329. Rye dull; Altarely, 51,50 bid. Grain freights quiet, demand the deposit per pushel, 31,33½d. December; Cork for orders, per quarter, 38,338. Light December; Sugar strong, nechanged: coarse and fine granulated, 5,39. Bitter firm, unchanged: dange transported the per changed; large, 13½,313%; medlum, 13½,313½; small, 13½,313%. Eggs firm, unchanged; 21a22.

Government Bonds. Bid. 102 109% 109% 113 114 133% 133% 112 112 2 per cents, registered, 1908-1928, 3 per cents, coupon, 1908-1928, 4 per cents, registered, 1907, 4 per cents, registered, 1907, 5 per cents, registered, 1925, 4 per cents, coupon, 1925, 5 per cents, coupon, 1925, 5 per cents, registered, 1904, 5 per cents, coupon, 1904 110% 113% 114% 134% 134% 113

Grain, Provisions and Cotton Markets. Furnished by W. B. Hibbs & Co., bankers and brokers, 1419 F st., members New York stock exchange, correspondents Messrs. La-denburg, Thalmann & Co., New York.

CHICAGO, December 11.—Grain:
Open, High. Low. Close.
Wheat—May. 607,70 70 60% 60% 60% 1
July 70% 60% 60% 60% 60% 1
Corn—May. 33% 33% 32% 3
Oats—May. 24% 24% 23% 24 Close 9.82 10.05 5.35 5.55 5.25 5.27 May. 0.37 0.37
NEW YORK, December 11.—Cotton
Open. High.
January. 7.33 7.38
March 1.34 7.47
May 7.47 7.50
August. 1.46 7.48 Low. 7.82 7.42 7.45

FINANCE AND TRADE

Heavy Slump in the Industrial Stocks Today.

RAILROAD SHAKES MORE STEADY

Liquidation Was the Rule Followed by Bear Raids.

GENERAL MARKET REPORTS

NEW YORK, December 11.-A nervo and excited opening in today's stock market was followed by the most extensive liquidawas urgent and prices crumbled without re-gard for value. Many of the industrial shares were unsupported and "stop-loss" orders were uncovered at frequent inter

The newer importations suffered most in the volume of the liquidation, but the wide fluctuations were not wholly restricted to this group.

Tennessee Coal and Iron opened off 3%

Tennessee Coal and Iron opened off 31g per cent from its closing price on Saturday and then declined 15 per cent during the forenoon under forced selling.

The advance in this stock from 36 in January to 126 in September, without the excuse of either a dividend or the payment of dividends owed for years to the preferred shareholders, left it in an extremely vulnerable condition. The attacks on it hast week and the aggressive selling today broke through supporting orders, and disclosed a considerable number of poorly margined accounts.

American Sugar closed on Saturday at 1391g and sold this morning, ex-dividend, 3 per cent, at 1311g, a decline of five points. The selling of this stock in one week has reduced the price about 29 per cent. From its low point today it railied sharply during the early afternoon for a gain of 6 per cent.

ent. American Tobacco sold under par, Manhattan Elevated was depressed below it issue value for a time, also, and at every point of the list there was evidence of de oralization among margin operators

noralization among margin operators.
Railroad stocks were sustained for a time but later they, too, were thrown over as the only means of protecting accounts burdened with a miscellaneous line. The decline up to noon had reached such substantial proportions that the street was disposed to regard the movement as one having succumbed to the fury of its own flame.

A slight rally started, due to the covering early sales, and then came a bint that

of early sales, and then came a bint that the government would once more tender its aid to the banks.

A decision of the Supreme Court and a presidential message were magnified beyond all warrant to assist a professional raid on values. The Treasury Department is called upon in the emergency to unlock its coffers and put the banks in position to arrest the attack on security values. The hope of relief helped the entire market to the extent that trading became quieter and more deliberation was used in the execution of orders.

more deliberation was used in the execu-tion of orders.

In a few instances some cash buying of the railway shares was noticeable. The re-lief to the loan account had been thorough, in a sense, but commission houses did not urge any general buying of stocks. There is not enough morey in the east to allow for the enormous daily trading which once characterized the advancing market.

for the chormous cally tracing which once characterized the advancing market. Many accounts have suffered badly by the mistaken process of "pyramiding," with the volume of the stocks held representing the base of the pyramid and the margins equal only to the area of the apex. The loss of money, once setting was started, was extremely swift. The call rate for money varied from 15 per cent in the morning to 3 per cent during the afternoon.

noon.

The condition was due to the rumors of Secretary Gage's presence in the city and the Idea that relief from the treasury is at hand. Considering the British resources in the Transvaal, London prices held extremely well throughout the day.

FINANCIAL AND COMMERCIAL. New York Stock Market.

14 188 24% 85% 116 Consolidated Gas.... Illinois Central Louisville & Nashville... Metropolitan Traction... Manhattan Elevated..... Missour' Pacific M., K. & T., pfd. National Lend C

Washington Stock Exchange.

55 15%

Southern Railway.

outhern Kailway, pfd.

Washington Stock Exchange.

Notice —Columbia Title Insurance Company's books are closed for election of officers, instead of for payment of dividend.

Sales—regular call, 12 o'clock m.—U. S. 38, coupon, \$100 at 100½, Chesapeake and Potomac Telephone 5s, 1st mort., \$5,000 at 103½, West End National Bank, 10 at 120, 10 at 120. National Safe Deposit and Trust, 5 at 132½, Washington Loan and Trust, 10 at 163, 10 at 163. Capital Traction, 20 at \$62½, 4 at \$62½, Washington Gas., 25 at 56½, 25 at 55½, 26 at 56½, 26 at 26½, 26 at